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ACTION ARA-00

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	FRB-03	OES-09	ACDA-12	USIE-00	JUSE-01	SP-02	DOEE-00
	SNP-01	PRS-01	SSA-02	/098 W			

P 112236Z FEB 86 -----277571 112308Z /50

FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC PRIORITY 5894
INFO AMEMBASSY QUITO
AMEMBASSY LONDON
AMEMBASSY THE HAGUE

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E.O. 12356: N/A
TAGS: EPET, EINV, OPIC, PREL, KALR, CO
SUBJECT: LAW FIRM FILES PETITION TO SUSPEND DECREE 128

REF: BOGOTA 1865 AND PREVIOUS

1. ROBERT RAISBECK OF BOGOTA LAW FIRM RAISBECK & RAISBECK HAS FILED A PRIVATE PETITION WITH THE COUNCIL OF STATE REQUESTING SUSPENSION AND REVIEW OF THE LEGALITY OF DECREE 128 WHICH GIVES ECOPETROL OPERATIONAL CONTROL OF THE CANO LIMON-COVENAS PIPELINE. THE PETITION WAS MADE ON THE GROUNDS THAT THE DECREE IS INJURIOUS TO ALL COLOMBIANS.

2. ALTHOUGH RAISBECK & RAISBECK IS ON RETAINER TO OCCIDENTAL AND MANY OTHER FOREIGN COMPANIES IN COLOMBIA, OXY OFFICIALS CLAIM ROBERT RAISBECK IS NOT/NOT ACTING ON THEIR BEHALF, AND THEY SAY THEY HAD NO PRIOR KNOWLEDGE OF RAISBECK'S ACTION. IN FACT, OXY LAWYERS SAY THE

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RAISBECK PETITION IS NOT AS COMPREHENSIVE AS THEY WOULD LIKE.

3. WHILE ROBERT IS OUT OF THE COUNTRY UNTIL NEXT WEEK,

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: OSCAR J. OLSON
DATE/CASE ID: 5 NOV 2002 200201334

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HIS BROTHER AND PARTNER JAMES RAISBECK TOLD THE ECON COUNSELOR THAT THE BASIC ARGUMENT IN THEIR PETITION (A COPY OF WHICH HE PROMISED TO SEND TO THE EMBASSY) IS THAT UNDER COLOMBIAN LAW YOU CAN NOT LEGISLATE BY DECREE. DECREE 128 IS A LEGISLATIVE EFFORT AND THEREFORE ILLEGAL, RAISBECK SAID

4. COMMENT: WHETHER OXY HAD ANYTHING TO DO WITH THE RAISBECK PETITION OR NOT, THE ISSUE IS NOW BEFORE THE COUNCIL OF STATE WHILE OXY CONTINUES NEGOTIATIONS WITH ECOPETROL. NOTHING HAS SURFACED IN THE PRESS SO FAR. IF THIS CAN BE KEPT LOW-KEY, IT SHOULD WORK TO OXY'S ADVANTAGE. GILLESPIE

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